

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JEFFREY HORTON,

Plaintiff,

v.

CASE NO. 5:11-cv-237-RBP-PWG

ALABAMA DEPARTMENT OF
CORRECTIONS, et al.,

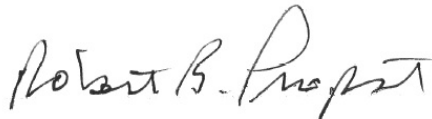
Defendants.

MEMORANDUM OPINION

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Jeffrey Horton (“plaintiff”), an Alabama state prisoner acting *pro se*. The magistrate judge filed an order on December 5, 2011 (doc. 11), recommending that the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) and/or (b)(2), for failure to state a claim upon which relief can be granted. The parties were allowed an opportunity in which to file objections. No objections have been received from either party.

Having carefully reviewed and considered *de novo* all the materials in the court file, the Court is of the opinion that the magistrate judge’s findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the complaint is due to be DISMISSED WITH PREJUDICE. A separate final order will be entered.

DONE this 4th day of January, 2012.



ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE